

and help us enact the Patient Right to Know Act.

INTRODUCTION OF THE PATIENT RIGHT TO KNOW ACT OF 1996

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1996

Mr. MARKEY. Mr. Speaker, I am pleased to join Dr. GANSKE today in introducing the Patient Right to Know Act of 1996.

When I was a boy, my mother told me, "if you don't have anything nice to say, don't say anything at all." Now when my mother said that, she was not talking about protecting the feelings of health plans. She was talking about people, who sometimes, unfortunately, become patients. So she would be quite surprised to see this dangerous twist on her advice in some of the contracts between doctors and health plans we see today. Today, to protect the feelings of health plans, doctors are being asked to restrict what they say to their patients. This is wrong, just plain wrong. No doctor can practice good medicine in a muzzle.

The fact is, when you're a patient, what you don't know can hurt you. That's why Congressman GANSKE and I are introducing the Patient Right to Know Act. The Patient Right to Know Act will prohibit health plans from restricting communications between doctors and their patients about treatment options, their benefits and risks, and other issues related to quality of care. It will ensure that doctors are allowed to tell their patients why a plan decides to pay for, or deny, a treatment. Finally, it will bar plans from restricting doctors from talking to their patients about financial arrangements they have with the plans which might affect those patients' access to care.

The impetus for our bill was the increasingly frequent reports of health plans trying to keep doctors from talking freely to their patients about their health care needs, or forcing doctors to sign contracts that include clauses restricting doctor-patient communications. I was deeply disturbed by these reports, because I am a great believer in the principle of informed consent and restrictions on communications between doctors and their patients make informed consent impossible. Attacks on informed consent—which is the most basic patient protection—simply cannot be tolerated in our society.

I have worked on consumer protection issues for a lot of years now, and I look at it this way: Patients are really just consumers of health care. Like any other kind of consumer, patients need complete and accurate information about the products or services available if they're going to make good decisions about the health care they consume. The only difference is, we are not talking about toasters or washing machines here, we are talking about people's health and lives.

Now Dr. GANSKE here has an advantage, because while I was at law school, learning about the rule against perpetuities, he was in med school, learning how to make sick people well. So when Dr. GANSKE is feeling a little under the weather, and he goes to see his family doctor, he's on a pretty level playing field. He knows what questions to ask. He's

probably already read about the latest treatment for whatever it is that ails him.

But the ordinary Joe is at a disadvantage. He does not get the New England Journal of Medicine at home. He places enormous trust in his doctor, and depends on his doctor to tell it to him straight. When a health plan tries to control or censor communications between its doctors and their patients, that critical bond of trust is broken.

Silence isn't always golden. Although he who has the gold sometimes tries to demand silence—the fact is, in today's world, knowledge and information are the coins of the realm. Nowhere is this truer than in the realm of health care.

Hippocrates said "Health is the greatest of human blessings." Surely, it is the most precious although many of us do not realize this until we ourselves or someone we love becomes seriously ill. Then, we would give away anything we have—all of our worldly treasures—to make them well again. At that moment, our greatest ally is our doctor, and our most valuable asset is the information he can give us. That is why passing the Patient Right to Know Act is so important.

IN HONOR OF AFRICAN-AMERICAN WOMEN

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1996

Mr. FROST. Mr. Speaker, in honor of this year's theme of African-American women, I wish to recognize the passing of former Congresswoman Barbara Jordan, one of Texas' greatest political figures. She died at the age of 59 from pneumonia, one of the many illnesses which she suffered from in the last years of her life. But the life that she led was extraordinary, and she left a mark that few will ever match, and that none will ever forget.

Mr. Speaker, Congresswoman Jordan distinguished herself from an early age. With her family's encouragement she worked hard to rise above the poverty of her childhood in Houston. She graduated magna cum laude from Texas Southern University. It was there that she first displayed her powerful oratorical skills as a member of the debate team. In 1959 she received her law degree from Boston University.

Mr. Speaker, Barbara Jordan made history by setting a number of firsts. She was the first black State Senator in Texas history, elected in 1966. In 1972 she was accorded the high honor of being elected president pro tempore of the Texas Senate, another first for an African-American. Eight years later she recorded another first, becoming the first black from Texas to be elected to Congress. Although she only served for 6 years in the House of Representatives, her impact was monumental.

It was as a freshman Congresswoman, Mr. Speaker, that the Nation first came to know Barbara Jordan. As a member of the House Judiciary Committee she made one of the defining speeches of the Richard Nixon impeachment hearings. Rising above the political rhetoric, she told the world, "My faith in the Constitution is whole, it is complete, it is total, and I am not going to sit here and be an idle spectator to the diminution, the subversion, the de-

struction of the Constitution." Indeed, her statements reminded America of what was truly great about this country.

On a more personal note, Mr. Speaker, Barbara Jordan served as one of my earliest political role models. I had a chance to see Congresswoman Jordan speak at the 1976 Democratic National Convention. Like everyone else that heard her speech I was moved not only by her eloquence, but by her definition of public service. "More is required of public officials than slogans and handshakes and press releases," she said. "We must hold ourselves strictly accountable. We must provide the people with a vision of the future." These words continue to guide and inspire me 20 years later.

I wish in the coming days that all Texans would join me in reflecting upon the legacy of Barbara Jordan. She stood for honesty, integrity, and an unswerving commitment to the principles on which this country was founded. Her legacy will endure as we continue to honor these ideals.

PHILADELPHIA GAY NEWS CELEBRATES 20 YEARS OF SERVICE TO COMMUNITY

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 1996

Mr. FOGLIETTA. Mr. Speaker, I rise today to recognize the 20 year anniversary of publishing for the Philadelphia Gay News, one of the oldest newspapers serving the gay and lesbian community in America.

I met a young activist named Mark Segal when I was a Republican member of the Philadelphia City Council many years ago. When Mark started the newspaper in 1975, he was a pioneer. In 1975, very few communities had any means for gays and lesbians to know about what was going on in terms of politics, government, health or social events. They had to depend on leaflets and word of mouth. Through the energy of people like Mark Segal throughout the country, that has changed. Lesbian and gay journalism helped that community become more cohesive, politically aware and active. Indeed, trailblazers like Mark Segal helped put the community in the gay and lesbian community. Now, Mark is respected as an elder statesman in gay and lesbian independent journalism in America, though he is anything but an elder. Nationally, Mark was deeply involved in the establishment of gay and lesbian journalists' and publishers' organizations, as well as putting some of their newspapers onto the internet.

Through credible and independent journalism, the Philadelphia Gay News promoted pride in gay and lesbian self identity and educated the community about violence and HIV, AIDS, and other health concerns. The paper helped promote empowerment by giving an advertising avenue for burgeoning gay and lesbian business interests. It gave force to gays and lesbians in Philadelphia government and politics.

I congratulate Mark Segal, his partner Tony Lombardo, who acts as the paper's business manager, and the paper's editor Al Patrick for their commitment to adding to the vitality and diversity of the Greater Philadelphia community.